

IN THE

NITED STATES PATENT AND TRADEMARK OFFICE

#4

APPLICANT(S):

Foaud A. Tobagi, et al.

SERIAL NO.:

09/853,816

FILING DATE:

May 11, 2001

TITLE:

System and Method for Controlling Data Transfer Rates on a

Network

EXAMINER:

Unknown

GROUP ART UNIT:

2664

RECEIVED

APR 0 8 2002

ATTY.DKT.NO.:

PA1689US

Technology Center 2600

COMMISSIONER FOR PATENTS WASHINGTON, D.C. 20231

REQUEST FOR CORRECTED FILING RECEIPT

SIR:

Applicants hereby request that the United States Patent and Trademark Office correct its records and issue a corrected filing receipt to show that the filing date of provisional application 60/257,654 is correctly listed as December 22, 2000. Applicants also request that the United States Patent and Trademark Office correct its records to show that the filing date of December 22, 2000 is consistent with PTO records. Enclosed is a copy of the filing receipt with the indicated change noted thereon. To confirm that the filing date of provisional application 60/257,654 is December 22, 2000, a copy of the Filing Receipt for provisional application 60/257,654 and the Express Mail label showing a "date-in" of December 22, 2000 are enclosed.

Since the paperwork submitted to the United States Patent and Trademark Office indicated the correct filing date for the provisional application, December 22, 2000, Applicants believe that there is no fee for this request, however, the Commissioner is hereby authorized to charge any additional fees which may be required to Deposit Account No. 06-0600. A duplicate copy of this letter is enclosed for this purpose.

Respectfully submitted,

Fouad A. Tobagi, et al.

Dated: 3/20/02

Wendi R. Schepler Wendi R. Schepler

Wendi R. Schepler, Reg. No. 43,091

Carr & Ferrell LLP

2225 East Bayshore Road, Suite 200

Palo Alto, CA 94303 TEL: (650) 812-3400

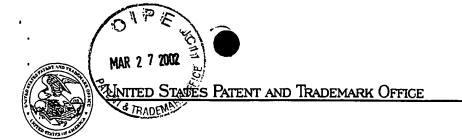
FAX: (650) 812-3444

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on the date printed below:

Dated: 3/20/02

{00059382v1}



COMMISSIONER FOR PATENTS United States Patent and Trademark Office WASHINGTON, D.C. 20231

www.uspto.gov

APPLICATION NUMBER

FILING DATE

GRP ART UNIT

FIL FEE REC'D

ATTY.DOCKET.NO

DRAWINGS

TOT CLAIMS IND CLAIMS

09/853.816

05/11/2001

2664

530

PA1689US

35

22830 **CARR & FERRELL LLP** 2225 EAST BAYSHORE ROAD SUITE 200 PALO ALTO, CA 94303

CONFIRMATION NO. 7692 CORRECTED FILING RECEIPT OC000000007557819*

Date Mailed: 02/28/2002

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Fouad A. Tobagi, Los Altos, CA; David Lemke, Mountain View, CA: Srikanth Subramaniam, San Jose, CA;

Domestic Priority data as claimed by applicant

THIS APPLN CLAIMS BENEFIT OF 60/257,651 12/22/2000 AND CLAIMS BENEFIT OF 60/257,654 12/22/2000

(*) Data inconsistent with PTO records.

RECEIVED APR 0 8 2002

Technology Center 2600

Foreign Applications

If Required, Foreign Filing License Granted 06/04/2001

Projected Publication Date: 06/27/2002

Non-Publication Request: No

Early Publication Request: No

** SMALL ENTITY **

Title

System and method for controlling data transfer rates on a network



COMMISSIONER FOR PATENTS UNITED STATES PATENT AND TRADEMARK OFFICE WASHINGTON, D.C. 20231 www.uspto.gov

FILING DATE DRAWINGS APPLICATION NUMBER GRP ART UNIT FIL FEE REC'D ATTY.DOCKET.NO **TOT CLAIMS** IND CLAIMS 60/257.654 12/22/2000

75 **PA1686US**

CONFIRMATION NO. 7992

22830 **CARR & FERRELL LLP** 2225 EAST BAYSHORE ROAD SUITE 200 PALO ALTO, CA 94303

FILING RECEIPT *OC000000006122903*

Date Mailed: 11/27/2001

Receipt is acknowledged of this provisional Patent Application. It will not be examined for patentability and will become abandoned not later than twelve months after its filing date. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

John C. Ruttenberg, Waban, MA; Walter D. Lichtenstein, Belmont, MA; David Agraz, Somerville, MA; Fouad A. Tobagi, Los Altos, CA;

RECEIVED

APR 0 8 2002

Technology Center 2600

If Required, Foreign Filing License Granted 04/16/2001

Projected Publication Date: Not Applicable

Non-Publication Request: No

Early Publication Request: No

** SMALL ENTITY **

Title

System and method for scheduling data transfers through a network

LICENSE FOR FOREIGN FILING UNDER Title 35, United States Code, Section 184 Title 37, Code of Federal Regulations, 5.11 & 5.15

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).